

Notice of Allowability

Application No.

10/840,190

Examiner

Huy Q. Phan

Applicant(s)

BUCKLEY ET AL.

Art Unit

2617

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 04/25/2007.
2. ☒ The allowed claim(s) is/are 1-3, 5-9, 12-15, 17, 18 and 20.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


GEORGE ENG
SUPERVISORY PATENT EXAMINER

DETAILED ACTION

Response to Amendment

1. This Office Action is in response to Amendment filed on date: 04/25/2007.

Claims 1-3, 5-9, 12-15, 17, 18 and 20 are still pending.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 05/18/2007 has been placed in record and considered by the examiner.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Robert H. Kelly on 05/15/2007.

The application has been amended as follows:

Claim 21 has been canceled.

Claim 15 has been amended as follows:

15. (Currently Amended) A method for facilitating selection of a selected network through which to effectuate communication of data in a radio communication system,

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the radio communication system having a mobile node selectably operable to communicate the data with a selected network of a first group of first networks operated by first operators, the first networks of the first group of networks operable pursuant to a first communication scheme and the radio communication system further having a second group of second networks operated by second operators, the second networks operable pursuant to at least a second communication scheme, selected ones of the operators of the second network at least maintaining associations with selected ones of the operators of the first network, said method comprising the operations of:

forming at least a first list at the mobile node, the first list identifying first networks of the first group with which the mobile node is permitted to communicate;

detecting values of second-network indicia contained in the second-network signals broadcast by at least selected ones of the second networks, the second-network indicia identifying geographic positioning of the second networks from which the second-network signals are broadcast;

detecting values of first-network identifying indicia contained in first-network signals broadcast by at least selected ones of the first networks, the network identifying indicia identifying the first networks from which the first-network signals are broadcast; and

selecting, responsive to the values detected during said operations of detecting, responsive to entries contained in the first list, responsive to the associations, and responsive to associations when entries contained in the first list fail to identify any first

networks amenable to form the selected network, the selected network through which to effectuate the communication of the data.

Reasons for Allowance

4. Claims 1-3, 5-9, 12-15, 17, 18 and 20 are allowed.

The following is a statement of reason for the indication of allowance:

Independent claims 1 and 15 contain limitations from cancelled dependent claim 11 and its intervening claims 4 and 10, which was indicated as allowable subject matter in the previous Office Action mailed 02/08/2007.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."


Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huy Q Phan whose telephone number is 571-272-7924. The examiner can normally be reached on 8AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Huy Phan


GEORGE ENG
SUPERVISORY PATENT EXAMINER

Examiner: Phan, Huy Q.

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Date: 05/29/2007